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Applicant: Y.F. LIU

Examiner:

Serial No.: Not Assigned

Art Unit:

Continuation of US Serial No. 09/156,367 filed 9/17/98

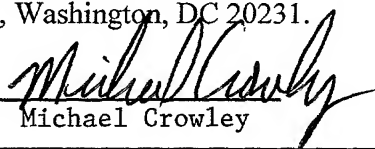
Filing Date: December 28, 2001

For: A METHOD FOR IDENTIFYING JNK AND MLK INHIBITORS
FOR TREATMENT OF NEUROLOGICAL CONDITIONS

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I hereby certify that this Application for a Continuation Application is being deposited with the United States Postal Service as Express Mail on the date indicated above and is addressed to: Commissioner for Patents, Attention Box Continuation Application, Washington, DC 20231.


Name: Michael Crowley

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

PRELIMINARY AMENDMENT

Please amend the above-identified application prior to examination as follows:

IN THE SPECIFICATION:

Please change the title of the invention to read as follows ---JNK INHIBITORS FOR THE TREATMENT OF NEUROLOGICAL DISORDERS---

Please insert the following section immediately following the Title---

CROSS-REFERENCE TO RELATED APPLICATIONS

This application is a continuation of U.S. Application Serial No. 09/156,367, filed September 17, 1998, which claims the benefit of U.S. Provisional Application Serial No. 60/085,439, filed May 14, 1998, the disclosure of which is incorporated by reference herein.

IN THE CLAIMS:

Please cancel claims 1-32, 35, 37, 38, 41, and 42 without prejudice.

33. (Amended) A method for assessing a compound's ability to inhibit JNK kinase activity and thereby prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition, comprising:
- (a) administering to an animal an amount of compound under conditions sufficient to allow for proper pharmacodynamic absorption and distribution thereof in the animal; and
 - (b) determining the physiological status of the animal;
- wherein a change in physiological status, when compared to an animal not administered the compound, is indicative of the compound's ability to inhibit JNK kinase activity and thereby prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition.

34. (Amended) The method of Claim 33, wherein JNK is JNK1, JNK2, or JNK3, or combinations thereof.
36. (Amended) A method for treating a neurological condition in a mammal in need thereof, comprising administering to the mammal an effective therapeutic amount of a compound that inhibits JNK activity and thereby prevent neuronal cell death occurring in a mammal susceptible to or having neurological condition.
39. (Amended) The method of claim 36, wherein JNK is JNK1, JNK2, or JNK3, or combinations thereof.
40. (Amended) A method for preventing neuronal cell death in a mammal susceptible to or having a neurological condition, comprising administering to the mammal in need thereof an effective therapeutic amount of a compound that inhibits JNK activity in a neuronal cell and thereby prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition.
43. (Amended) A method for treating a neurological disorder in a mammal in need thereof, comprising administering to the mammal an effective therapeutic amount of a compound that inhibits JNK activity and thereby prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition, wherein the compound is identified by a method for assessing a compound's ability to prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition, comprising:
- a) contacting a compound with neuronal cells having activated JNK kinase activity; and
 - b) determining the number of neuronal cells that die;
- wherein a decreased number of dead neuronal cells in the presence of the compound compared to the number of dead neuronal cells in the absence of the compound is

indicative of the compound's ability to prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition.

REMARKS

The present application is a continuation of U.S. Application Serial No. No. 09/156,367. The parent application was subject to a restriction requirement, and original claims 1-32 were pursued in that application.

The present application is directed to the invention of claims 33, 34, 36, 39, 40 and 43, and is limited to JNK activity. These claims have been amended in order to take into account subsequent developments during the prosecution of the parent and progeny applications.

Early and favorable action on the pending claims in this application is solicited.

Respectfully submitted,

by William G. Gosz
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DATE: January 9, 2002

MARKED-UP CLAIMS

33. (Amended) A method for assessing a compound's ability to inhibit [MLK and/or] JNK kinase activity and thereby prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition, comprising:
- (a) administering to an animal an amount of compound under conditions sufficient to allow for proper pharmacodynamic absorption and distribution thereof in the animal; and
 - (b) determining the physiological status of the animal;
- wherein a change in physiological status, when compared to an animal not administered the compound, is indicative of the compound's ability to inhibit MLK kinase activity and thereby prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition.
34. (Amended) The method of Claim 33, wherein [MLK is MLK1, MLK2 or MLK3 and] JNK is JNK1, JNK2 or JNK3, or combinations thereof.
36. (Amended) A method for treating a neurological condition in a mammal in need thereof, comprising administering to the mammal an effective therapeutic amount of a compound that inhibits JNK [and/or MLK] activity and thereby prevent neuronal cell death occurring in a mammal susceptible to or having neurological condition.
39. (Amended) The method of claim 36, wherein JNK is JNK1, JNK2 or JNK3 [and MLK is MLK1, MLK2, or MLK3], or combinations thereof.
40. (Amended) A method for preventing neuronal cell death in a mammal susceptible to or having a neurological condition, comprising administering to the mammal in need thereof an effective therapeutic amount of a compound that inhibits JNK [and/or MLK] activity

in a neuronal cell and thereby prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition.

43. (Amended) A method for treating a neurological disorder in a mammal in need thereof, comprising administering to the mammal an effective therapeutic amount of a compound that inhibits JNK [and/or MLK] activity and thereby prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition, wherein the compound is identified by a method for assessing a compound's ability to prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition, comprising:

- a) contacting a compound with neuronal cells having activated [MLK and/or] JNK kinase activity; and
- b) determining the number of neuronal cells that die;

wherein a decreased number of dead neuronal cells in the presence of the compound compared to the number of dead neuronal cells in the absence of the compound is indicative of the compound's ability to prevent neuronal cell death occurring in a mammal susceptible to or having a neurological condition.